

1 ROBERT K. PHILLIPS, ESQ.
Nevada Bar No. 11441
2 MEGAN E. WESSEL, ESQ.
Nevada Bar No. 14131
3 LATISHA ROBINSON, ESQ.
Nevada Bar No. 15314
4 **PHILLIPS, SPALLAS & ANGSTADT LLC**
5 504 South Ninth Street
Las Vegas, Nevada 89101
6 P: (702) 938-1510
7 E: rphillips@psalaw.net
mwessel@psalaw.net
8 lrobinson@psalaw.net

9 *Attorneys for Defendant*
10 *Sam's West, Inc.*

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 KELLY GREEN, an individual,
14 Plaintiff,
15 v.
16 SAMS CLUB.; Does I-X, and ROE
CORPORATIONS I-X, inclusive,
17 Defendant(s).

Case No.: 2:20-cv-00834-APG-EJY

STIPULATION AND ~~[PROPOSED]~~
ORDER TO EXTEND DISCOVERY
DEADLINES

[FIRST REQUEST]

19
20 Plaintiff KELLY GREEN (hereinafter "Plaintiff") and Defendant SAM'S WEST INC.
21 (erroneously sued as "SAMS CLUB") (hereinafter "Defendant" or "Sam's Club"), by and through their
22 respective counsel of record, do hereby stipulate to extend the remaining deadlines in the current
23 scheduling order and discovery plan in this matter for a period of ninety (90) days for the reasons
24 explained herein.

25 Pursuant to Local Rule 6-1(b), the parties hereby aver that this is the first such discovery
26 extension requested in this matter.

27 ///

28 ///

DISCOVERY COMPLETED TO DATE

- The parties have conducted an FRCP 26(f) conference and have served their respective FRCP 26(a) disclosures;
- Defendant has served upon Plaintiff one set of Requests for Production, one set of Interrogatories and one set of Requests for Admissions;
- The parties have filed all required documents pursuant to ECF 2 to date;

DISCOVERY TO BE COMPLETED AND REASONS FOR EXTENSION OF DISCOVERY

Discovery to be completed includes:

- Plaintiff to provide provider specific authorizations;
- Subpoenas for Plaintiff's medical records;
- Plaintiff's responses to Requests for Production, Requests for Interrogatories and Requests for Admissions;
- Deposition of Plaintiff;
- Depositions of Plaintiff's treating physicians;
- Depositions of fact witnesses;
- Disclosure of experts by both parties;
- Depositions of expert witnesses and rebuttal expert witnesses; and
- Plaintiff to notice Defendant's 30(b)(6) deposition.

The parties aver, pursuant to Local Rule 6-1, that good cause exists for the requested extension. The parties agree that, pending this Court's approval, extension of remaining discovery deadlines is appropriate, as there has been a delay in obtaining executed medical authorizations that has prevented Defendant from obtaining Plaintiff's medical records. Once we receive Plaintiff's authorizations, we will subpoena applicable medical records regarding Plaintiff's treatment pre and post incident. These medical records are required in order to retain an expert and to provide a complete report so the matter is decided on the merits. The parties have worked together amicably, and Plaintiff is currently working on providing Defendant with the necessary authorizations to proceed forward in the discovery phase. According, the parties have agreed to a 90-day discovery extension in order to ensure that meaningful discovery is conducted prior to expert disclosures.

The parties have acted in good faith to request this extension and have no intent, nor reason, to delay the resolution of this matter.

[PROPOSED] NEW DISCOVERY DEADLINES

Last Day to Amend Pleadings	.	.	.	.	December 9, 2020
Expert Disclosure Deadline	.	.	.	.	January 8, 2021
Rebuttal Expert Disclosure Deadline	.	.	.	.	February 8, 2021
Discovery Cut-Off Date	.	.	.	.	March 9, 2021
Dispositive Motion Deadline	.	.	.	.	April 8, 2021
Proposed Joint Pre-Trial Order	.	.	.	.	May 7, 2021

If this extension is granted, all anticipated additional discovery should be concluded within the stipulated extended deadline. The parties aver that this request for extension of discovery deadlines is made by the parties in good faith and not for the purpose of delay.

DATED this 24th day of August, 2020.

STOVALL & ASSOCIATES

/s/ Leslie Mark Stovall

LESLIE MARK STOVALL, ESQ.
Nevada Bar No. 2566
ROSS MOYNIHAN, ESQ.
Nevada Bar No. 11848
2301 Palomino Lane
Las Vegas, NV 89107

Attorneys for Plaintiff

DATED this 24th day of August, 2020.

PHILLIPS, SPALLAS & ANGSTADT LLC

/s/ Latisha Robinson

ROBERT K. PHILLIPS, ESQ.
Nevada Bar No. 11441
MEGAN E. WESSEL, ESQ.
Nevada Bar No. 14131
LATISHA ROBINSON, ESQ.
Nevada Bar No. 15314
504 South Ninth Street
Las Vegas, NV 89101

*Attorneys for Defendant
Sam's West, Inc.*

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: August 24, 2020